

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested in view of the following remarks. Currently, claims 1-15 are pending in the present application of which claim 1 is independent.

Claims 1-15 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Terzioglu et al. (U.S. Patent Number 6,714,467). The above rejection is respectfully traversed for at least the reasons set forth below.

Claim Rejection Under 35 U.S.C. §102

The test for determining if a reference anticipates a claim, for purposes of a rejection under 35 U.S.C. § 102, is whether the reference discloses all the elements of the claimed combination, or the mechanical equivalents thereof functioning in substantially the same way to produce substantially the same results. As noted by the Court of Appeals for the Federal Circuit in *Lindemann Maschinenfabrick GmbH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984), in evaluating the sufficiency of an anticipation rejection under 35 U.S.C. § 102, the Court stated:

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.

Therefore, if the cited reference does not disclose each and every element of the claimed invention, then the cited reference fails to anticipate the claimed invention and, thus, the claimed invention is distinguishable over the cited reference.

Claims 1-15 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Terzioglu et al. This rejection is respectfully traversed because the claimed invention as set forth in claim 1 and the claims that depend therefrom are patentably distinguishable over Terzioglu et al.

Terzioglu et al. discloses a block redundancy implementation in hierarchical random access memories. The disclosure of Terzioglu et al. is directed to increasing memory cell yield by providing redundancy of memory blocks within a random access memory. See Column 1, Lines 17-22. In light of this purpose, Terzioglu et al. provides a random access memory including small blocks which may be replaced and used by other redundant small blocks of memory. This may be accomplished by shifting predecoded lines or using a modified shifting predecoder circuit in the local predecoder block. Terzioglu et al. fails to disclose or teach anything with regards to the defragmentation of memory. Additionally, Terzioglu et al. fails to disclose or teach the use of an active and an inactive memory block for holding synchronized information.

Claim 1 recites “an active memory supporting in-service storage operations and an inactive memory that is synchronized with stored contents of the active memory.” Terzioglu et al. fails to teach an active memory supporting in-service storage operations and an inactive memory that is synchronized with the stored contents of the active memory as recited in claim 1. As discussed above, Terzioglu et al. shows a random access memory having redundant blocks for the purpose of replacing damaged or poor performing memory blocks. Terzioglu et al. fails to show an inactive memory which is synchronized with stored contents in an active memory. In

fact, because Terzioglu et al. only uses a redundant block with the original block fails the stored contents could not be synchronized because the original block does not store information at that point. Terzioglu et al. discloses no means for synchronizing memories. Therefore, Terzioglu et al. fails to teach an active memory supporting in-service storage operations and an inactive memory that is synchronized with stored contents of the active memory.

In addition, claim 1 recites "wherein stored contents of the inactive memory are defragmented prior to an activity switch which results thenceforth in the inactive memory assuming said in-service storage operations and in the active memory being updated with the stored contents of the inactive memory." Terzioglu et al. fails to teach any defragmentation as recited in claim 1. As discussed above, Terzioglu et al. teaches the replacement of a memory block with a redundant memory block under certain circumstances. Terzioglu et al., however, does not teach any defragmentation for any purpose. Therefore, Terzioglu et al. fails to teach wherein stored contents of the inactive memory are defragmented prior to an activity switch which results thenceforth in the inactive memory assuming said in-service storage operations and in the active memory being updated with the stored contents of the inactive memory.

Accordingly, Terzioglu et al. fails to teach all of the features contained in claim 1, and thus, this claim is believed to be allowable. Claims 2-15 depend upon allowable claim 1 and are also allowable at least by virtue of their dependencies.

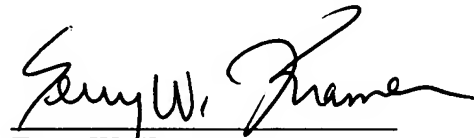
Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

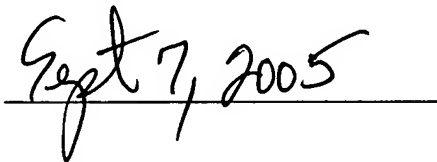
Respectfully submitted,
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AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings in Appendix A include formal figures for FIGS. 1-3. No amendments or changes were made. No new matter has been added. These sheets, which include FIGS. 1-3, replace the original sheets including FIGS. 1-3.

APPENDIX A

Replacement drawings sheets with replacement FIGS. 1-3

APPENDIX B

Certified copy of Canadian Patent Application No. 2,455,656